

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: U.S. CELLULAR CORPORATION	DOCKET NO. 199 IAC 39.2(4)
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**ORDER GRANTING REQUEST FOR
ELIGIBLE TELECOMMUNICATIONS CARRIER STATUS**

(Issued January 15, 2002)

On December 13, 2001, U.S. Cellular Corporation (U.S. Cellular) filed a request for Universal Service Eligible Telecommunications Carrier (ETC) status in Iowa, pursuant to 199 IAC 39.2(4). In its request, U.S. Cellular stated it is a telecommunications company and common carrier as defined in 47 U.S.C. § 153(49). In an affidavit accompanying its request, U.S. Cellular stated it is authorized by the Federal Communications Commission (FCC) to provide commercial mobile radio services (CMRS) in certain parts of Iowa, as described in Attachment A, filed subsequent to the request on December 21, 2001. U.S. Cellular filed an affidavit in support of its request.

To receive support from the Universal Service Fund pursuant to 47 U.S.C. § 254, subrule 199 IAC 39.2(4) requires that a carrier must meet certain service requirements before the Board designates it as an eligible carrier. The requirements are:

- 1) Offer the services supported by the federal universal service fund;
- 2) Offer the services using its own facilities or a combination of its own facilities and resale (47 CFR § 54.201(c) provides that "own facilities" includes purchased unbundled network elements);
- 3) Advertise the availability of the supported services; and
- 4) Offer the services throughout the service area of the designated carrier.

An ETC must also offer a minimum amount of local exchange service, defined in usage minutes, provided with no additional charge to customers. See FCC-98-278, October 26, 1998. See also 199 IAC 39.2(1)"b." The FCC has not yet quantified a minimum amount of local usage required, to be included in a universal service offering but has initiated a separate rule making proceeding to address this issue. Id. Any minimum local usage requirements established by the FCC as a result of that rule making would be applicable to all designated ETCs. The Board understands that U.S. Cellular will comply with any and all minimum local usage requirements adopted by the FCC. The Board also understands that until the FCC establishes a minimum requirement, U.S. Cellular will meet the local usage requirement by including local usage in its universal service offerings and that it will offer unlimited local usage in at least one of its universal service offerings.

In its request for designation, U.S. Cellular states that it satisfies each of the named requirements. Based upon that unopposed representation and U.S. Cellular's commitment to follow the minimum local usage requirements when adopted by the FCC, the Board finds that U.S. Cellular offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier. The Board finds that U.S. Cellular advertises and offers the services throughout its service area, as described in Attachment "A," which will be its designated service area for purposes of the universal service fund. The Board finds these commitments by U.S. Cellular are adequate to assure that public interest concerns will be satisfied.

In furtherance of the public interest, the Board requests that U.S. Cellular provide an initial notice filing with the Board prior to providing supported services in Iowa, describing the services and local calling areas where supported service will be provided.

IT IS THEREFORE ORDERED:

1. The request for universal service eligible telecommunications carrier status filed by U.S. Cellular Corporation on December 13, 2001, is granted, subject to the voluntary commitments made by U.S. Cellular regarding the local usage requirement as described in the body of this order.

2. The Executive Secretary of the Board shall mail copies of this order to U.S. Cellular Corporation, the Universal Service Administration Company, the FCC Universal Service Branch, and the FCC Office of the Secretary.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 15TH day of January, 2002.